

10-16-02

CPA/2760

PTO/SB/29 (10-00)

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CONTINUED PROSECUTION APPLICATION (CPA) **REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
 Box CPA
 Washington, DC 20231

Attorney Docket No.
of Prior Application

915.312

First Named Inventor

Djupsjobacka

Examiner Name

R. Brown

Group Art Unit

2611

Express Mail Label No.

EV137071095US

Technology Center 2600

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OCT 21 2002

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),(continued prosecution application (CPA)) of prior application number 08 / 976,322,filed on Nov. 21, 1997, entitled Method for Addressing a Service in Digital Video Broadcasting

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed. 10/18/2002 SZEWDIE1 00000131 230442 08976322
5. Information Disclosure Statement (IDS) is enclosed:

a. <input type="checkbox"/> PTO-1449	01 FC:1006	740.00 OP
b. <input type="checkbox"/> Copies of IDS Citations	02 FC:1201	420.00 OP
	03 FC:1202	18.00 OP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (l))	21 -20* =	1	x \$ 18 =	\$ 18
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (l))	8 -3** =	5	x \$ 84 =	420
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ =	
				BASIC FEE (37 CFR 1.16)	\$740
				Total of above Calculations =	\$1178
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL = \$1178

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23 - 0442:
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$1178.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		004955		or <input type="checkbox"/> New correspondence address below	
(Insert Customer No. or Attach bar code label here)					
Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print IType)	Andrew T. Hyman
Signature	<i>Andrew T. Hyman</i>
Registration No. (Attorney/Agent)	45,858
Date	October 15, 2002



#16/D
W. Lawer
10/23/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Application of **Djupsjöbacka et.al.** : Group Art Unit: **2611**
Serial No. **08/976,322** : Primary Examiner: **A. Faile**
Filed **November 21, 1997** : Examiner: **R. Brown**

For: Method for Addressing a Service in Digital Video Broadcasting

U.S. Patent and Trademark Office
Box CPA
Assistant Commissioner for Patents
Washington, DC 20231

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PRELIMINARY AMENDMENT IN A
CONTINUED PROSECUTION APPLICATION

Sir:

The final Official Action was dated May 21, 2002 and the response thereto was mailed by the two-month mark on Monday, July 22, 2002 with a certificate of mailing. Then the Advisory Action was mailed after the three-month mark, on September 13, 2002. According to MPEP § 710.02(e), the necessary extension for the present paper is therefore measured from the date of the Advisory Action instead of the date of the Final Action. This was confirmed by Mr. Andrew Faile on September 20, 2002 at 4:00 PM. So, the present paper is being submitted with a request for a one-month extension. Reconsideration of the rejections of the pending claims 2-19 is respectfully requested in view of the following amendments and remarks.

I hereby certify that this correspondence is being deposited today, October 15, 2002, with the United States Postal Service by Express Mail in an envelope addressed to: Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington DC 20231. Express Mail Label No. EV137071095US


Cathy Wilcox